

Notice of Allowability

Application No.

10/813,967

Examiner

Andrew Wendell

Applicant(s)

TEGREENE, CLARENCE T.

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/23/2007.
2. ☒ The allowed claim(s) is/are 1-13, 15-17 and 19-30.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/23/2007 has been entered.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance: Regarding claim 1, the prior art of record, Nishimura et al. (US Pat Pub# 2004/0005889) wireless communication apparatus teaches at least one of an antenna generation unit 2 (Fig. 3, section 0080) or an signal detection unit 2 (Fig. 3); a antenna system 6 (Fig. 3) operably coupled with the at least one of an antenna signal generation unit 2 (Fig. 3) or an antenna signal detection unit 2 (Fig. 3), a mote 3 (Fig. 3) having the antenna system 6 (Fig. 3) operably coupled with the at least one of an antenna signal generation unit 2 (Fig. 3) or an antenna signal detection unit 2 (Fig. 3). Nishimura et al. fails to teach a directional antenna and antenna steering.

Stine's (US Pat Pub# 2003/0033394) access and routing protocol for ad hoc network teaches wherein the directional antenna system (Sections 0205-0207) further includes but is not limited to an antenna steering unit (Sections 0309-0310).

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The prior art of record fails to a mote system comprising at least one of an antenna signal generation unit or an antenna signal unit; a directional antenna system operably coupled with the at least one of an antenna signal generation unit or an antenna signal detection unit, wherein the directional antenna system further includes but is not limited to an antenna steering unit; and a mote having the directional antenna system operably coupled with the at least one of an antenna signal generation unit or an antenna signal detection unit.

Stine's invention is an ad hoc network (section 0003), which is not equivalent to a mote network because a mote network is in a separate technical field (See applicant's remarks filed on 9/6/2006 and 7/23/2007). Therefore it would not be obvious to combine Stine's ad hoc network into Nishimura's mote network.

See applicant's remarks filed on 9/6/2006 and 7/23/2007 for further support of allowance.

The prior art of record fails to teach the claimed subject matter as claimed and substantially connected in claims 1-13, 15-17, and 19.

Regarding claim 20, method claim 20 is allowed for the same reason as system claim 1 since the recited elements would perform the claimed steps.

The prior art of record fails to teach the claimed subject matter as claimed and substantially connected in claims 20-23.

Regarding claim 24, method claim 24 is allowed for the same reason as system claim 1 since the recited elements would perform the claimed steps.

The prior art of record fails to teach the claimed subject matter as claimed and substantially connected in claims 24-27.

Regarding claim 28, method claim 28 is rejected for the same reason as system claim 1 since the recited elements would perform the claimed steps.

The prior art of record fails to teach the claimed subject matter as claimed and substantially connected in claims 28-30.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

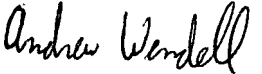
3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Krile discloses a smart antenna. Hosny discloses a digital electronic locator. Reed discloses a method and apparatus for increasing service efficacy in an ad-hoc mesh network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Wendell whose telephone number is 571-272-0557. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Andrew Wendell
Examiner
Art Unit 2618

9/13/2007


NAY MAUNG
SUPERVISORY PATENT EXAMINER